

6

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAI AH

WRIT PETITION NO.12180/1997

Between:

The Shiruguppa Education
Society, Shiruguppa,
Bellary District,
represented by its
President Sri.B.E.Ramaiah,
major in age.

...PETITIONER

(By Sri.B.G.Sridharan, Adv.)

And:

1. The Karnataka Housing Board,
Cauvery Bhavan, Bangalore,
represented by its
Commissioner.
2. The Executive Engineer,
Office of the Executive
Engineer, Karnataka
Housing Board,
Bellary Division,
Bellary.

...RESPONDENTS

(By Sri.Basavaraj V.Sabarad, Adv.)

. . . .

This Writ Petition is filed under Articles
226 and 227 of the Constitution of India with a
prayer to quash vide Annexure 'E' dated 19.4.97
in so far as sites situated at Siruguppa Karnataka

Gruha Mandal Badavane near Police Quarters
and earmarked as Item No.3 to the Notification.


This Writ Petition coming on for Preliminary
Hearing in 'B' Group this day, the Court made the
following:-

O_R_D_E_R

The petitioner made an application for
allotment of vacant land situated by the side
of his property to the Housing Board, ~~on the~~ ✓
~~ground that~~ Since ✓ the said application was not con-
sidered by the Housing Board, the petitioner
had ✓ filed a Writ Petition before this Court
in W.P. No.9540/89. This Court held that the
petitioner has no legal right for any allotment
of land from the Housing Board, but however
observed that the application of the petitioner
~~may~~ ✓ ~~will~~ be considered by the Housing Board. There-
after, the petitioner had ✓ filed another W.P.No.
14040/1996 on the ground that his application
~~has not been~~ ^{was not} considered as observed by this

Court in W.P.No.9540/89. This Court by its order dated 19.01.1998 dismissed the Writ Petition holding the observation made in the earlier Writ Petition does not give right to the petitioner to seek for a direction to consider his application.

2. During the pendency of the Writ Petition a notification was issued by the Housing Board proposing to auction the sites belonging to it. This notification is under challenge in this Writ Petition. The contention of the petitioner in this writ petition is that the Housing Board has no Authority to auction the site without considering its application for allotment of site. As held by this Court, the petitioner has no legal right to get his application considered by the Housing Board. If that is so, the petitioner has no locus standi to question the notification issued by the Housing



254

Board proposing to auction the sites belonging to it. In the result, I pass the following order.

Writ Petition is rejected.



Sd/-
JUDGE

sps/*